HONOURABLE MS. JUSTICE G.ROHINI.

WRIT PETITION No.24013 OF 1998

Dated 15-03-2007

Between:

B. Someswara Rao, son of B.Krishna Murthy, Hindu, aged about 59 years, Retired Employeem, resident of Plot No.244, H.M.T.Nagar, Nacharam, Hydeabad-500 076.

…Petitioner.

And:

The General Manager, M.T.H. Division, H.M.T. Limited, H.M.T. Town Ship Post, Hyderabad-500 054.

…Respondents.

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondent in not paying the interest amount on the delayed payment of gratuity as arbitrary and illegal.

At the outset, it is to be noted that an efficacious alternative remedy of appeal is available under Payment of Gratuity Act, 1972 and without exhausting the said efficacious alternative remedy the petitioner cannot maintain this writ petition for the relief which is in the nature of money claim.

Accordingly, the Writ Petition is dismissed granting leave and liberty to the petitioner to work out the appropriate alternative remedy available under law. No costs.

_____

Justice G.ROHINI

Dated 15-03-2007

Dvs